

Counsel for Intervenor-Defendants Taylor Shellfish Co., Inc. and Pacific Coast Shellfish Growers Association

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON**

CENTER FOR FOOD SAFETY, a non-profit
corporation,

Plaintiff,

v.

U.S. ARMY CORPS OF ENGINEERS, *ET*
AL.,

Defendants,

and

PACIFIC COAST SHELLFISH GROWERS
ASSOCIATION,

Intervenor-Defendant

THE COALITION TO PROTECT PUGET
SOUND HABITAT, a non-profit Corporation,

Plaintiff,

v.

U.S. ARMY CORPS OF ENGINEERS, *ET*
AL.,

Defendants,

and

TAYLOR SHELLFISH COMPANY, INC.,

Intervenor-Defendant

) Case No. 2:17-cv-01209-RSL

)
) **STIPULATED MOTION TO REVISE**
) **SCHEDULE FOR SUMMARY**
) **JUDGMENT BRIEFING AND**
) **~~PROPOSED~~ ORDER**

) **NOTE ON MOTION CALENDAR: March**
) **29, 2018**

) Case No. 2:16-cv-00950-RSL

) **STIPULATED MOTION TO REVISE**
) **SCHEDULE FOR SUMMARY**
) **JUDGMENT BRIEFING AND**
) **~~PROPOSED~~ ORDER**

) **NOTE ON MOTION CALENDAR: March**
) **29, 2018**

**STIPULATED MOTION TO REVISE SCHEDULE FOR SUMMARY JUDGMENT
BRIEFING AND ~~PROPOSED~~ ORDER**

1. On November 7, 2017 this Court issued a consolidated case management schedule for the actions Nos. 2:17-cv-01209 and 2:17-cv-00950. Order, ECF No. 17. The parties have followed the schedule outlined in that order, culminating in Defendants' filing of Administrative Records for case No. 2:17-cv-01209 on March 14, 2018 (ECF No. 24) and for case No. 2:17-cv-00950 on March 14, 2018 (ECF No. 32). Based on the current schedule, opening summary judgment briefs would be due by April 12, 2018. In order to accommodate the various conflicts of counsel, the parties have agreed to the following proposed revised schedule for summary judgment briefing, which would extend the deadlines slightly, by 18 days, and otherwise retain the schedule previously stipulated and ordered. Parties respectfully move the Court to adopt the following case management deadlines:

April 30, 2018	All Plaintiffs' Motions For Summary Judgment due. ¹
July 23, 2018	Oppositions and cross-motions for summary judgment due. Defendants and Intervenor shall consult on briefing to avoid redundancy.
October 5, 2018	Plaintiffs' replies and oppositions to cross-motions due.
November 19, 2018	Replies due. Defendants and Intervenor to consult on briefing to avoid redundancy.
Thereafter	Court sets Oral Argument on Cross Motions For Summary Judgment.

¹ Because the cases are not being consolidated, the Coalition to Protect Puget Sound Habitat is not a party to C17-1209RSL, and Center for Food Safety is not a party to C16-0950RSL. While the parties may, and are encouraged to, coordinate briefing efforts to improve efficiency and avoid redundancy, each plaintiff must file papers in its own lawsuit.

2. Defendants and Intervenor reserve the right to object to, move to strike, or otherwise oppose the proposed introduction of any extra record evidence in support of any claims made by any other party. Defendants and Intervenor are encouraged to file a single consolidated brief in each action in response to the plaintiffs' motions for summary judgment.

Respectfully submitted this 29th day of March, 2018 in Portland, Oregon.

CENTER FOR FOOD SAFETY

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~~PROPOSED~~ ORDER REVISING SCHEDULE FOR SUMMARY JUDGMENT BRIEFING

This matter comes before the Court on the parties' "Stipulated Motion to Revise Schedule for Summary Judgment" filed in C16-0950RSL and C17-01209. The request is GRANTED, and the following case management deadlines will govern both C16-0950RSL and C17-01209:

April 30, 2018	All Plaintiffs' Motions For Summary Judgment due. ²
July 23, 2018	Oppositions and cross-motions for summary judgment due. Defendants and Intervenors shall consult on briefing to avoid redundancy.
October 5, 2018	Plaintiffs' replies and oppositions to cross-motions due.
November 19, 2018	Replies due. Defendants and Intervenors to consult on briefing to avoid redundancy.
Thereafter	Court sets Oral Argument on Cross Motions For Summary Judgment.

Defendants and Intervenors reserve the right to object to, move to strike, or otherwise oppose the proposed introduction of any extra record evidence in support of any claims made by any other party. Defendants and Intervenors are encouraged to file a single consolidated brief in each action in response to the plaintiffs' motions for summary judgment.

Dated this 5th day of April 2018.


Robert S. Lasnik
United States District Judge

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